United States Department of the Interior

BUREAU OF LAND MANAGEMENT
MEDFORD DISTRICT OFFICE
3040 Biddle Road
Medford, Oregon 97504
email address: or110mb@or.blm.gov

IN REPLY REFER TO:
1792(116)
Grazing EA
A3735(LL:cn)

APR 0 5 2000

Dear Interested Public:

The *Courtney Individual Grazing Environmental Assessment* (EA) is being advertised in the Medford Mail Tribune for a 30 day public review period. Due to adverse ecological effects associated with grazing in this allotment, the Bureau of Land Management (BLM) proposes to cancel the existing grazing lease and construct 1000' of fence to keep cattle from neighboring private lands away from sensitive plant populations and the Tyler Creek riparian area. Enclosed is the EA and associated Finding of No Significant Impact.

The primary purpose of a public review is to provide the public with an opportunity to comment on the BLM's determination that there are no significant impacts associated with the proposed action and, therefore, an environmental impact statement is not necessary.

We welcome your comments on the content of this document. We are particularly interested in comments that address one or more of the following: (1) new information that would affect the analysis, (2) possible improvements in the analysis; and (3) suggestions for improving or clarifying the proposed management direction. Specific comments are the most useful. Comments, including names and addresses, will be available for public review. Individual respondents may request confidentiality. If you wish to withhold your name and/or address from public review or from disclosure under the Freedom of Information Act, you must state this prominently at the beginning of your written comment. Such requests will be honored to the extent allowed by law. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public inspection in their entirety. This EA is published on the Medford District web site, www.or.blm.gov/Medford/, under "Planning Documents."

All comments should be made in writing and mailed to Bill Yocum, Environmental Planner, at the above address. Any questions can be directed to Bill Yocum at (541) 618-2309.

Sincerely,

Richard J. Drehobl
Field Manager
Ashland Resource Area

Enclosures (as stated)

U. S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
MEDFORD DISTRICT
ASHLAND RESOURCE AREA

EA No. OR-110-00-008

ENVIRONMENTAL ASSESSMENT

FOR

COURTNEY INDIVIDUAL GRAZING

ENVIRONMENTAL ASSESSMENT

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
ASHLAND RESOURCE AREA

EA COVER SHEET

Project Name/Number: COURTNEY INDIVIDUAL GRAZING EA/OR-110-00-008

Location: Ashland Resource Area

Preparer: Lorie List, Environmental Coordinator

Specialist	**Title**	**Resource Value**	**Initials and Date**
Tom Jacobs	Rangeland Specialist	Range Management	
Tim Westfall	Rangeland Specialist	Range Management	
George Arnold	Wildlife Biologist	Wildlife, T&E Animals	
Ted Hass	Soil Scientist	Soils & Water	
Bill Haight	Fish Biologist	T&E Fish, Riparian	
Brad Tong	Botanist	T&E Plant	
Fred Tomlins	Recreation Specialist	Cultural Resources	
Lorie List	Environmental Coord.	Format/Adequacy	

This environmental assessment (EA) for the proposed Courtney Individual Grazing project was prepared utilizing a systematic interdisciplinary approach integrating the natural and social sciences and the environmental design arts with planning and decision making.

Richard J. Drehobl, Ashland Field Manager Date

ASHLAND RESOURCE AREA
COURTNEY INDIVIDUAL GRAZING ENVIRONMENTAL ASSESSMENT

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Environmental Assessment
for the
Courtney Individual Grazing Allotment

CHAPTER 1

INTRODUCTION

The location of the Courtney Individual Allotment includes Bureau of Land Management (BLM) lands in the SW¼NE¼, SE¼NW¼, E½SW¼ of Section 1, T.40S. R.02E. WILL. MER, and the SW¼SW¼ of Section 31, T.39S.R3E. WILL. MER.

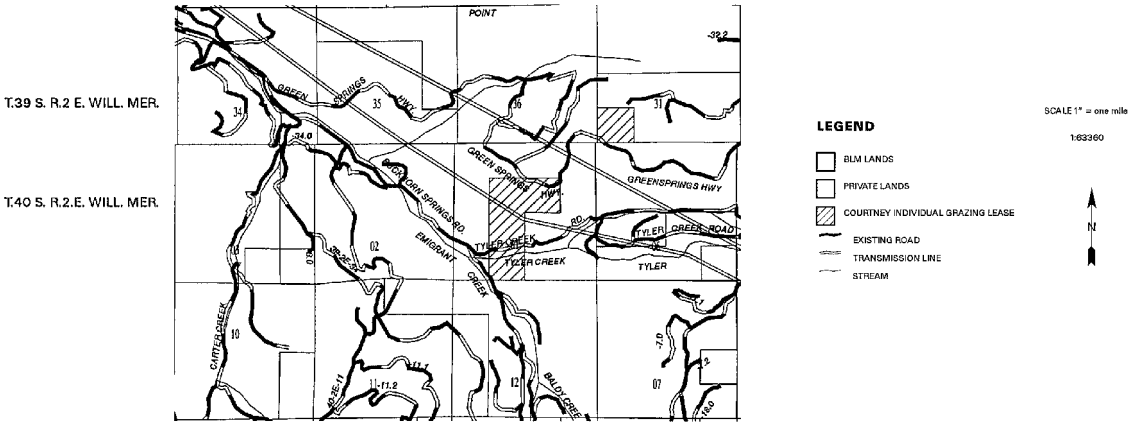
This allotment is in the Upper Bear Creek Drainage within the Tyler Creek Watershed. Currently, this allotment impacts 200 acres of BLM lands, including approximately 1/4 mile of Tyler Creek. This allotment resides entirely within 2,300 acres of private land owned by the operators. The BLM 200 acre parcel is isolated from other public lands. The allotment is fenced with other private lands controlled by the Mosby Ranch.

Until 1991, the 200 acres were part of the Soda Mountain Allotment. The Soda Mountain allotment grazing season is May 1 to October 15, whereas, the portion that is now the Courtney Individual allotment has historically been used with private lands from November to May. In 1991 an interdisciplinary assessment was completed to authorize use as a custodial allotment under a temporary, non-renewable grazing lease. The 1991 assessment did not reveal any exceptional values and no seasonal restrictions were placed on the Courtney individual allotment.

Currently, the grazing lease for the Courtney Individual Allotment is scheduled for lease renewal as required under the Code of Federal Regulations.

GENERAL LOCATION MAP

COURTNEY INDIVIDUAL GRAZING EA



A. PURPOSE AND NEED

A 1999 review for possible lease renewal identified potential conflicts with other resources. The BLM range staff initiated the environmental assessment (EA) process to determine whether the lease should be reissued.

B. CONFORMANCE WITH EXISTING LAND USE PLANS

The proposed action and alternatives are in conformance with and tiered to the *Medford District Record of Decision and Resource Management Plan (RMP) (USDI 1995[b])*. This Resource Management Plan incorporates the earlier *Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl and the Standards and Guidelines for Late-Successional and Old-Growth Forest Related Species Within the Range of the Northern Spotted Owl (NWFP) (USDA and USDI 1994).* These documents are available at the Medford BLM office and the Medford BLM web site at <http://www.or.blm.gov/Medford/>. This parcel was originally considered as part of the Soda Mountain Allotment and reviewed within the Medford Grazing Management Program Environmental Impact Statement (EIS) (1983/1984). This document is also available at the Medford BLM office.

C. RELATIONSHIP TO STATUTES, REGULATIONS, AND OTHER PLANS

The proposed action and alternatives are in conformance with the direction given for the management of public lands in the Medford District by the Oregon and California Lands Act of 1937 (O&C Act) and the Federal Land Policy and Management Act of 1976 (FLPMA).

This EA is being prepared to determine if the proposed action or any of the alternatives would have a significant impact on the human environment thus requiring the preparation of an environmental impact statement (EIS) as prescribed in the National Environmental Policy Act (NEPA) of 1969. It is also being used to inform interested parties of the anticipated impacts and provide them with an opportunity to comment on the various alternatives.

This document complies with the Council on Environmental Quality's (CEQ) Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act (NEPA; 40 CFR Parts 1500-1508) and the Department of the Interior's manual guidance on the National Environmental Policy Act of 1969 (516 DM 1-7).

D. DECISIONS TO BE MADE ON THIS ANALYSIS

The Ashland Resource Area Field Manager must decide:

• Whether or not the impacts of the proposed action are significant to the human environment beyond those impacts addressed in other applicable NEPA documents. (If the impacts are determined to be insignificant, then a Finding of No Significant Impact (FONSI) can be issued and a decision can be implemented. If any impacts are determined to be significant to the human environment, then an environmental impact statement (EIS) must be prepared before a decision is made.)

• Whether to implement the proposed action alternative or defer to the no action alternative.

E. ISSUES OF CONCERN

The following issues were identified during the scoping process. All issues were reviewed by the Interdisciplinary Team. Issues that directly relate to the proposed action were analyzed in detail.

• Possible damage to sensitive plants (i.e., *Ranunculus austro-oreganus*).
• Degradation of riparian habitat.
• Decrease in forage on deer winter range.

Chapter 2: Alternatives

A. INTRODUCTION

This chapter describes the alternatives, including the no action and proposed action alternatives. This chapter also outlines specific project mitigation features that are an essential part of the project design.

Alternative I (No Action) - Renew the lease under current management strategies.

Renew the grazing lease for Courtney Individual Allotment. Current grazing practices would continue on the allotment with no additional stipulations.

Alternative II - Remove 40 acres from the BLM 200 acre portion of the allotment.

Renew the grazing lease for Courtney Individual Allotment, but remove the lower 40 acres containing Tyler Creek from the grazing lease. Specifically, the parcel of land described as Sec. 1 - SE¼ SW¼ would be omitted. The riparian area of Tyler Creek would be protected from domestic livestock grazing and would require approximately 1,000 feet of fence construction.

The new allotment boundaries would thus encompass the following lands:

Sec. 1 - SW¼NE¼, SE¼NW¼, NE¼ SW¼; Sec. 31 - SW¼SW¼

Project Design Features
(Project design features are included for the purpose of mitigating or reducing anticipated adverse environmental impacts that might stem from the implementation this alternative.)

Seasonal restrictions would be placed on the allotment to avoid the wet season and the flowering/fruiting season of *Ranunculus austro-oreganus.*

Alternative III - Proposed Alternative - Cancel existing grazing lease and fence 40 acres of BLM land.

Under this alternative, the grazing lease for Public Lands would be canceled. The BLM would construct approximately 1,000 feet of fence to prevent grazing around a high concentration of sensitive plants and the riparian area of Tyler Creek (the 40 acre parcel south of Tyler Creek Road). The remaining 160 acres is adjacent to over 2,000 acres of private lands and would

continue to receive some degree of grazing from wandering cattle. The area is too small to warrant grazing management lease administration. However, as this area contains scattered sensitive plant populations, BLM botanists would watch for possible degradation of scattered, isolated special status plant populations and fence sites for protection if necessary.

Project Design Features
(Project design features are included for the purpose of mitigating or reducing anticipated adverse environmental impacts that might stem from the implementation of the proposed action alternative.)

- The BLM would protect the densest portion of the *Ranunculus austro-oreganus* population by constructing an exclosure of approximately 15 acres.

- Monitoring plots would be set-up to assess long term affects of livestock grazing with transects inside and outside the exclosure area. Botanists would monitor the transects to detect changes in *Ranunculus austro-oreganus* populations over time.

Alternative IV-Cancel the existing grazing lease and fence 200 acres of BLM land.

Under this alternative, the grazing lease for Public Lands would be canceled. The entire 200 acres of BLM land would be fenced off to prevent cattle on adjoining private lands from crossing onto the BLM land.

Chapter 3: Environmental Consequences

A. CRITICAL ELEMENTS

The following “critical elements” of the human environment are subject to requirements specified in statutes, regulations or executive order (for example, the Clean Water Act of 1977):

- Air Quality
- Areas of Critical Environmental Concern
- Cultural Resources
- Farmlands, Prime/Unique
- Floodplains
- Native American Religious Concerns
- Threatened & Endangered Species
- Wastes, Hazardous/Solid
- Water Quality
- Wetlands/Riparian Zones
- Wild & Scenic Rivers
- Wilderness

Only substantive site specific environmental changes that would result from implementing the proposed action or alternatives are discussed in this document. If an ecological component is not discussed, it should be assumed that the resource specialists have considered effects to that component and found the proposed action or alternatives would have minimal or no effects. General or "typical" effects from projects similar in nature to the proposed action alternative are also described in the documents to which this plan is tiered.

B. WILDLIFE

1. Existing Condition

Habitat within the allotment is comprised primarily of grass-forb dry hillside, mountain shrubland and chaparral, and deciduous hardwood plant communities as described by Brown (1985). There is also some riparian habitat along Tyler Creek. Wildlife species representative of these habitats include black-tailed deer, black-tailed jackrabbit, scrub jay, acorn woodpecker, western fence lizard, and western rattlesnake.

The allotment is within big game/deer winter range as identified in the Medford District Resource Management Plan (RMP). Primary objectives in deer winter range are to reduce disturbance during the winter months, and to provide adequate forage and cover conditions for wintering deer.

2. Impacts

It is reasonable to assume that grazing during the November to May period reduces the amount of forage available to deer on the winter range. Deer require a variety of forage types, including grasses and forbs, to sustain them during the winter and spring months. Cattle compete directly with deer for grasses and forbs during this period. Forbs in particular are an important source of protein for deer during spring greenup, and greenup occurs before the cattle are moved off of the allotment in May.

Alternative I. The current grazing regime would continue under this alternative; therefore, additional forage would not be available to deer on the winter range.

Alternatives II and III. Additional forage would be available to wintering deer in the 40 acres where cattle would be fenced out, but not on the unfenced portion of the allotment.

Alternative IV. Additional forage would be available to wintering deer on the entire allotment.

3. Threatened/Endangered Species

None of the alternatives would affect species listed as threatened or endangered under the auspices of the Endangered Species Act of 1973, as amended.

C. BOTANY: THREATENED AND ENDANGERED PLANTS

1. Existing Condition

In the spring of 1999, a rare plant survey identified the following two Special Status Plants on the allotment:

Scientific Name	Common Name	Status*
Ranunculus austro-oreganus	Southern Oregon buttercup	BSO
Cirsium ciliolatum	Ashland thistle	BTO

* BSO: Bureau Sensitive, Oregon
BTO: Bureau Tracking, Oregon

Ranunculus austro-oreganus is a Bureau Sensitive, a former category-2 candidate for listing under the Endangered Species Act of 1973, and is a candidate for listing under the Oregon Endangered Species Act of 1987. This species is considered threatened with extinction because of its rarity or effects of direct or indirect threats. *Ranunculus austro-oreganus* is known only from the valley bottoms and foothills of Jackson County, Oregon. Its typical

habitat is grassy slopes and oak woodlands common of less disturbed valley bottoms and foothills. BLM Oregon State Office policy for Bureau Sensitive Species is to protect, manage and conserve these species and their habitats such that Bureau actions will not contribute to the need to list any of these species. Threats to this species include habitat loss due to industrial, agricultural, and residential uses, and that most of its habitat is privately owned.

This population of *Ranunculus austro-oreganus* covers a large area with varying densities of individuals. Heaviest concentrations occur beneath the oak canopy and weakly scattered individuals throughout the remaining area of T40S, R2E, Section 1.

Cirsium ciliolatum is a Bureau Tracking species and a former category-1 candidate for listing under the Endangered Species Act of 1973. Tracking species are considered rare, uncommon, or threatened, but not immediately imperiled with extinction and, as such, do not require specific management actions for protection or conservation. Additional population biology and distribution information is necessary to determine this species rarity and extirpation status. Also, *Cirsium ciliolatum*'s taxonomy is still in question which could result in this species being considered more rare than currently believed. *Cirsium ciliolatum* is found in savannah and oak woodland habitat from low to moderate elevations. Threats to this species include rural development and overgrazing. These threats are aggravated as much of the existing habitat is privately owned and therefore not protected.

This population of *Cirsium ciliolatum* is scattered throughout T39S, R3E, Section 31 with more individuals in the rockier and less accessible areas. Overall, grazing impacts in this section appear to be within an acceptable range.

2. Impacts

Alternative I - No Action - Renew the lease under current management strategies.
This alternative may allow continued direct damage (trampling, feeding) and indirect damage (habitat changes to vegetation composition and structure) to these populations.

Alternative II - Remove 40 acres from the BLM 200 acre portion of the allotment.
This alternative would protect the few individuals of *Ranunculus austro-oreganus* that occur near Tyler Creek. However, the majority of the population and also the *Cirsium ciliolatum* population would continue to be impacted by the grazing operation.

Alternative III - Proposed Alternative - Cancel existing grazing lease and fence 40 acres.
Construct 1000 feet of fence to exclude Sec. 1 - SE¼ SW¼ to protect Tyler Creek and the associated riparian area from grazing by livestock from adjoining private lands.

Over time, this alternative could allow the fenced portion of the site to partially restore itself to a condition approaching a more natural plant community. However, historical impacts

could prevent the site from fully recovering without further manipulation.

Suspension of grazing from the allotment at this time may be the most viable alternative to address riparian health and the initial reestablishment of native plant communities on the uplands. Under this alternative, use of the unfenced portion in the section north of the road will continue to receive the same use as the surrounding private land. Populations of *Ranunculus austro-oreganus* and *Cirsium ciliolatum* in this area would be monitored and fenced if necessary. The BLM would construct approximately 1,000 feet of fence to prevent grazing on the 40 acre parcel south of Tyler Creek road through which Tyler Creek flows.

Alternative IV-Cancel the existing grazing lease and fence 200 acres of BLM land.
Over time, this alternative could allow the BLM land to partially restore itself to a condition approaching a more natural plant community. However, historical impacts could prevent the site from fully recovering without further manipulation.

With the grazing pressure removed, this area should support an isolated but healthy population of *Ranunculus austro-oreganus*. Although isolated, the number of plants exceeds the minimum necessary to ensure long-term genetic integrity.

D. SOILS, HYDROLOGY, RIPARIAN, WETLANDS

1. Existing Condition

Tyler Creek is currently listed by the Oregon Department of Environmental Quality (DEQ) mouth to headwaters as a water quality limited stream under the authority of §303d of the Clean Water Act. This listing is due to high summer water temperature. The lack of stream shading, withdrawal of water for irrigation, and other uses are the leading contributors to this. The Tyler Creek road is suspected of contributing sediment to the stream. This roadway traverses through the parcel and barrow ditches are diverted into the stream system.

2. Impacts

Alternatives II, III, and IV would exclude cattle from the riparian area along Tyler Creek within the allotment and promote the re-establishment of young riparian vegetation. Understory plants in the uplands would also likely improve within the protected area. Improved riparian vegetation levels would increase shading, capture woody debris, help deposit sediment on the limited floodplain, and dissipate stream energy. The existing Tyler Creek road would probably continue to be a major contributor to sedimentation in the system.

E. AQUATIC, FISHERIES

1. Existing Condition

Populations of native rainbow trout (*Onchorynchus mykiss)* and reticulate sculpin *(Cottus perplexus)* reside in Tyler Creek[1]. Small diameter gravel suitable for spawning and sufficient amounts of cobble, boulders, and woody debris suitable for hiding cover and food production are lacking in the lower portion of this stream[2].

2. Impacts

Tyler Creek is outside of the Critical Habitat Designation for coho salmon (*O. kisutch*) because it is above Emigrant Lake Dam[3]. Therefore, the project has "No Effect" on coho and does not need to be consulted upon by the National Marine Fisheries Service.

As mentioned above, Alternatives II , III, and IV would promote the re-establishment of young riparian vegetation because cattle would no longer graze new riparian plant growth. As riparian shrubs and small trees grow, stream shading would increase, thereby cooling water temperatures. Plants growing on the limited floodplain would help capture sediment during floods, improving floodplain soils, floodplain water storage capacity and reducing fines in downstream gravels. As small trees grow larger, they will help dissipate stream energy, stabilize stream banks and trap downed trees as they move downstream in floods. As logs become trapped across the stream, they will help dissipate stream energy and result in better deposition of cobble, gravel, and boulders. This improvement in stream structure, along with the benefits accrued to the riparian vegetation discussed earlier, would thus improve habitat for fish (native rainbow trout, and reticulate sculpin) and other aquatic life.

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[1] B. Haight electrofish surveys, Tyler Creek, 1999.

[2] B. Haight visual fish habitat surveys, Tyler Creek, 1999.

[3] Federal Register Vol. 64, No. 86, May 5, 1999, pp. 24049-24062.

Chapter 4
Agencies Consulted and Public Participation

A. Federal Agencies
- US Fish And Wildlife Service

B. Public Involvement/Notices

1. Publicity

Public notice of the availability of this EA was provided through advertisement in the Medford Mail Tribune and the BLM Medford District's central registration and recording system.

2. Notification

A copy of the EA was mailed to the following organizations:
- Association of O&C Counties
- Audubon Society
- The Confederated Tribes
- Friends of the Greensprings
- Headwaters
- Jackson County Commissioners
- Jackson County Stockman's Association
- Klamath Siskiyou Wildlands Center
- Oregon Department of Fish and Wildlife
- Oregon Department of Forestry
- Oregon Natural Resource Council
- The Pacific Rivers Council
- Sierra Club, Rogue Group
- The Soda Mountain Wilderness Council
- Southern Oregon University Library
- Suzy and Rocky Courtney

3. Availability

A copy of this EA is available upon request from the Ashland Resource Area, Bureau of Land Management, 3040 Biddle Rd., Medford, OR 97540, (541) 770- 2200. The EA has also been placed in the public reading room at the Bureau of Land Management office (above address).

FINDING OF NO SIGNIFICANT IMPACT
for
OR-110-00-008

Finding of No Significant Impact (FONSI)

The Bureau of Land Management's Medford District has analyzed the Courtney Individual Grazing Allotment for possible renewal or cancellation in the Ashland Resource Area. Design features and analysis of this proposal are discussed and supported in the *Medford District RECORD OF DECISION AND RESOURCE MANAGEMENT PLAN* of June 1995.

The proposed action and project design features are further described in the attached Environmental Assessment (EA) # OR-110-00-008. This FONSI and attached EA are tiered with the *Medford District RECORD OF DECISION AND RESOURCE MANAGEMENT PLAN* of June 1995 and the Medford Grazing Management Program Environmental Impact Statement (1983/1984). All documents may be reviewed at the Medford District Office.

The Courtney Individual Grazing Allotment is located in the Ashland Resource Area of the Medford District, Bureau of Land Management. The proposed action is not considered to be precedent setting and is considered to be a normal action in implementing the ROD.

Through the EA process the interdisciplinary team reviewed the following critical elements of the human environment as they relate to this project: air quality, Areas of Critical Environmental Concern, cultural resources, farmlands, floodplains, Native American religious concerns, threatened and endangered species, hazardous/solid wastes, water quality, wetlands/riparian zones, Wild and Scenic Rivers, and wilderness. No substantive site specific environmental changes would result from implementing the proposed action or alternatives as discussed in the associated EA. Should threatened or endangered plants or cultural or paleontological resources be discovered they would be protected.

The estimation of impacts was based on research, professional judgement, and the experience of the interdisciplinary team. This method of estimating effects on the environment reduces the uncertainties to a level which does not involve highly unknown or unique risks. The design features identified in the attached EA would assure that no significant site specific nor cumulative impacts would occur to the human environment other than those already addressed in the Medford District Resource Management Plan /EIS.

FONSI Determination

On the basis of the information contained in the EA and all other information available to me as is summarized and above, it is my determination that none of the alternatives analyzed constitute a significant impact affecting the quality of the human environment greater than those addressed in the Medford District Resource Management Plan /EIS. Therefore, a new EIS or a supplement to the existing EIS is unnecessary and would not be prepared.

_____ _____

Field Manager Date